

REMARKS

Claims 8-10 and 17-19 have been cancelled. Claim 11 has been amended by adding the dough limitation of extensibility (see page 4, lines 7-8 for descriptive basis). Claim 20 has been amended by adding the limitations of cancelled claim 17, from which it previously depended.

New claims 22-31 have been added, descriptive basis for which may be found as follows:

- 22. Claims 3 and 11;
- 23. Claims 2 and 22;
- 24. Claims 5 and 22;
- 25. Claims 6 and 22;
- 26. Claims 7 and 22;
- 27. Claims 12 and 22;
- 28. Claims 13 and 22;
- 29. Claims 14 and 22;
- 30. Claims 15 and 22; and
- 31. Claims 16 and 22.

The present invention pertains to producing a workable dough by the use of specific pregelatinized, amylose-containing starch. Such doughs are characterized by specific rheological properties, including an extension of between about 9 to about 12 mm.

Claims 2-12 and 17-21 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Cremer (US 4,109,024). Cremer discloses an edible product made with dehydrated potatoes which can be made into French fries. One skilled in the art would not expect a French fry “dough” to be extensible such that it would be workable, e.g. capable of sheeting. Applicants would like to point out that French fries made with an extensible dough would conventionally be undesirable and that the industry standard would be a softer, flakier texture.

To further support Applicants’ contention that the Cremer “dough” would not be extensible, Applicants have submitted a declaration under rule 132. Under the supervision and guidance of David Huang, the dough of Cremer’s example has been compared to the dough of the present invention. As can be seen from the pictures within the declaration, the Cremer dough is extremely crumbly and unworkable, and thus could not be sheeted. The extensibility of the dough could not be measured as it was too crumbly. In contrast, the dough of the present invention, when exposed to the same mixing conditions, was capable of extension and sheetable. Mr. Huang concludes from this that the Cremer dough differs from that of the present invention because it is not extensible. Thus, it is clear from the declaration that the Cremer dough differs from that of the present invention and the rejection under 35 U.S.C. § 102(b) has been overcome.

Claims 8-10 and 17-19 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Mitchell, et al. (US 4,362,755). These claims have been cancelled, mooted this rejection.

Claims 13-16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Cremer (US 4,109,024) in view of Mitchell, et al. (US 4,362,755). Cremer does not teach or disclose the presently claimed invention in that, *inter alia*, the Cremer dough is not extensible. Mitchell does not cure this deficiency. Mitchell discloses a process for preparing a pregelatinized modified starch for use in instant puddings. The starch is used as it possesses a smoother, creamier mouthfeel and a high sheen. There is no teaching or disclosing to use such starches to produce a dough, much less that such dough would be workable and extensible. Thus, the rejection under 35 U.S.C. § 103(a) has been overcome.

Applicant submits the Application is now in condition for allowance and respectfully requests early notice to that effect.

Respectfully submitted,



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